

Lee Ann Monfredini
President

David J. Sánchez, Jr., Ph.D.
Vice President

Edward A. Chow, M.D.
Commissioner

Catherine Dodd, R.N., Ph.D.
Commissioner

Roma P. Guy, M.S.W.
Commissioner

James M. Illig
Commissioner

Markus Watson, D.D.S.
Commissioner

HEALTH COMMISSION

CITY AND COUNTY OF SAN FRANCISCO

Gavin C. Newsom, Mayor

Department of Public Health



Mitchell H. Katz, M.D.
Director of Health

Michele M. Seaton
Executive Secretary

TEL (415) 554-2666
FAX (415) 554-2665

Web Site: <http://www.sfdph.org>

MINUTES

HEALTH COMMISSION MEETING

Tuesday, October 16, 2007

At

3:00 p.m.

101 GROVE STREET, ROOM 300

San Francisco, CA 94102

1) CALL TO ORDER

President Monfredini called the meeting to order at 3:05 p.m.

Commissioner Monfredini called the meeting to order at 3:20 p.m.

Present: Lee Ann Monfredini, President
David J. Sanchez, Jr., Ph.D., Vice President
Edward A. Chow, M.D.
Catherine Dodd, R.N., Ph.D.
Roma P. Guy, M.S.W.
James M. Illig

Absent: Commissioner Markus Watson, D.D.S.

2) APPROVAL OF THE MINUTES OF THE HEALTH COMMISSION MEETING OF OCTOBER 2, 2007

Action Taken: The Commission (Chow, Dodd, Guy, Illig, Monfredini, Sanchez) approved the minutes of the October 2, 2007 Health Commission meeting.

3) **APPROVAL OF THE CONSENT CALENDAR OF THE BUDGET COMMITTEE**

Commissioner Sanchez chaired and Commissioner Chow and Commissioner Dodd attended the Budget Committee meeting. Commissioner Watson was absent. The Committee requested that Item 3.3 be moved to the discussion section of the agenda.

For Approval

(3.1) PHP-Community Health Programs /AB 75 Project – Request to authorize adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2007-08 and authorizing submission to the Board of Supervisors of the City and County of San Francisco to certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2007-08.

(3.2) PHP-CHP&P-Community Health Education Section – Request for approval to accept and expend a grant from the Kids' Plates Program, a project of the San Diego State University Research Foundation, in the amount of \$192,000, for the support of a 3-year project to improve child safety in San Francisco, for the period of October 1, 2007 through May 31, 2010.

(3.4) CHN-SFGH – Request for approval of a contract modification with the Regents of the University of California, San Francisco (UCSF), to extend the contract for three months through December 31, 2007, to provide Tertiary Care services targeting medically indigent adults, In-Home Supportive Service workers and San Francisco County Jail patients, in the amount of \$425,000, for the period of October 1, 2007 through December 31, 2007, for a total value of \$2,550,000, for the period of July 1, 2006 through December, 31, 2007 (18 months).

(3.5) AIDS OFFICE-HIV Health Services – Request for approval of a retroactive contract renewal with Catholic Health Care West–St. Mary's HIV Care Program, in the amount of \$946,632, which includes a 12% contingency, to provide integrated HIV primary care services to individuals affected by HIV/AIDS, for the period of July 1, 2007 through December 31, 2009 (2 years).

(3.6) BHS – Request for approval of a retroactive renewal contract with Lincoln Child Center, to provide intensive day treatment and medication support services, in the amount of \$91,243 per year, for a total contract value of \$459,865, which includes a 12% contingency, for the period of July 1, 2007 through December 31, 2011 (4.5 years).

(3.7) BHS – Request for approval of a retroactive renewal contract with Catholic Charities CYO, in the amount of \$198,619 per year, for a total contract amount of \$1,001,040, which includes a 12% contingency, to provide supportive housing/mental health services to homeless residents of San Francisco, targeting children ages 0-5 and their immediate family members, and persons with disabling HIV/AIDS, for the period of July 1, 2007 through December 31, 2011 (4.5 years).

For Discussion and Approval

(3.3) DPH-Policy & Planning – Request for approval to retroactively accept and expend funds from the Department of Health and Human Services, Public Health Service, for the project entitled Healthcare Facilities Partnership Program, in the amount of \$787,659, for the period of September 1, 2007 through August 8, 2008.

Commissioners' Comments

- Commissioner Dodd asked what the plans are for housing supplies and what affect will this have on future budgets. Rebekah Varela said the concept of the Hub program is having DPH facilities be a self-deployed community asset. The equipment for the hubs would be stored on site at the hub. The Office of Policy and Planning just got a full time position work ordered from the Department of Emergency Management to coordinate all of the equipment and other resources, doing inventory and maintenance planning, and other activities. Commissioner Dodd asked if how they will train 52 positions and if R.N.s are included in these positions. Ms. Varela said it is a broadly defined category that includes all types of personnel. They will contract with training providers to provide the training.
- Commissioner Chow commended the fact that the Department has been funded for a program that recognizes, for the first time since 1989, that communities need to have programs supported by the city, rather than saying that communities are on their own for the first 72 hours after an emergency. Commissioner Chow applauded all involved in getting this grant—San Francisco is one of only 11 jurisdictions in the country to receive this grant.

(3.8) BHS – Request for approval of a retroactive contract renewal with Conard House, in the amount of \$5,434,368 per year, for a total contract amount of \$9,129,738, which includes a 12% contingency, to provide residential, outpatient, supportive services and vocational training and mental health services to adults, for the period of July 1, 2007 through December 31, 2008 (1.5 yrs).

Commissioners' Comments

- Commissioner Chow asked if the 1.74 FTE increase is function of a cost of doing business. Richard Heasley, Executive Director of Conard House, said this is due to positions that were once independent contractors now being on staff. They were present last year but in a different line item last year. The \$220,000 is purely for the cost of the master lease.
- Commissioner Dodd asked why Objective 1 is being changed when Conard House achieved the outcome. Stephen Banuelos, CBHS, said the objective is being changed to apply to all supportive housing clients. The increased percentage acknowledges that the objective is being applied more broadly.

(3.9) BHS – Request for approval of retroactive contract renewal with Catholic Healthcare West-Saint Francis Memorial Hospital, in the amount of \$2,016,000, which includes a 12% contingency, to provide 24-hour adult acute psychiatric inpatient hospital services, for the period of July 1, 2007 through December 31, 2011 (4.5 yrs).

Commissioners' Comments

- Commissioner Sanchez noted that the contract documents list the previous CEO, and it is important that documents have updated staff and Board information. Commissioner Sanchez noted that St. Francis' board has a lot of medical staff, and asked why its composition is different from that of St. Mary's Board. Abby Yant, St. Francis Memorial Hospital, said Thomas Hennessey is the St. Francis CEO. St. Francis is one of nine CHW affiliates that retains its own fiduciary board, which requires 50 percent plus one medical staff. St. Mary's is owned outright by CHW, and its board does not have any fiduciary responsibility.

- Commissioner Chow asked if this contract is only for non-MediCal patients. Ms. Yant said this contract is just for the uninsured. The MediCal patients go there as well, but not under this contract.
- Commissioner Dodd asked if any other hospitals have contracts like this. Liz Gray, DPH Director of Long Term Care, said no. Commissioner Dodd thanked St. Francis for providing this service.

(3.10) BHS – Request for approval of a retroactive contract renewal with Homeless Prenatal Program, in the amount of \$131,972 per year, for a total contract amount of \$221,713, which includes a 12% contingency, to provide substance abuse outreach and case management services for indigent and homeless pregnant women with or without children, for the period of July 1, 2007 through December 31, 2008 (1.5 yrs).

Commissioners' Comments

- Commissioner Dodd asked if the low score for client satisfaction survey is due to the low return rate. Ms. Ryan, Executive Director of the Homeless Prenatal Program, said the return rate was the biggest problem with client satisfaction. They will put the surveys and the survey return box in a more accessible place next year in order to increase the return rate.

(3.11) BHS – Request for approval of a retroactive new contract with Burt Center, Inc., in the amount of \$147,000 per year, for a total contract amount of \$411,600, which includes a 12% contingency, to provide Early and Periodic Screening, Diagnosis and Treatment mental health services programs for children ages 6-12, for the period of July 1, 2007 through December 31, 2009 (2.5 years).

Commissioners' Comments

- Commissioner Sanchez acknowledged the Burt Center for the work it does with children.

(3.12) BHS – Request for approval of a retroactive contract renewal with Walden House, in the amount of \$9,390,194 per year, for a total contract amount of \$15,775,526, which includes a 12% contingency, to provide residential substance abuse and mental health services, for the period of July 1, 2007 through December 31, 2008 (1.5 yrs).

Commissioners' Comments

- Commissioner Chow asked for more detail about the new focus for adolescent residential treatment. The Operations Director for Walden House said Walden had been carrying the adolescent program for two decades without sufficient State support and were faced with the decision to close it. At that point the Health Department stepped in to help save this valuable resource. So they closed the program and reopened it with the DPH support. This program is solely focused on San Francisco youth at this time. It is a comprehensive co-occurring behavior disorder treatment program. Walden House received a SAMHSA grant to do follow up for youth who leave the residential program. They have the capacity to serve 55 kids, but there are actually budgeting projections based on 30 youth on average. Commissioner Chow said it is his understanding that Walden House has performed well fiscally over the last year. Gregg Sass said that Walden House has stabilized its financial

position, and had a sound financial audit last year. Revenues are covering their expenses, and believe that their audit ending June 30, 2007 will show a small surplus.

- Commissioner Sanchez commended the agency and also the Health Department for identifying a valuable resource and working to save it.

Action Taken: The Commission (Chow, Dodd, Guy, Illig, Monfredini, Sanchez) approved the Budget Committee Consent Calendar. Commissioner Dodd abstained from Item 3.10, as she is a member of the Homeless Perinatal Program's Board of Directors.

4) **DIRECTOR'S REPORT**

Mitchell H. Katz, M.D., Health Director, presented the Director's Report.

SB306 Extends Seismic Safety Requirements

Last week Governor Arnold Schwarzenegger signed into law Senate Bill 306, which amends the Alfred E. Alquist Seismic Safety Act to permit hospitals to extend the compliance deadline to January 1, 2020 to replace all buildings that are subject to the Act. Hospitals seeking to extend their replacement deadline to 2020 would be required to demonstrate that their financial condition does not allow them to meet the 2013 retrofit deadline. In addition, the bill is narrowly written to only include SPC-1 hospital facilities that are essential providers in underserved communities. Although we are grateful for this extension, this Department will continue to move toward our goal of completing the SFGH rebuild by 2015.

AB 682

Governor Arnold Schwarzenegger signed into law AB 682, eliminating the requirement for written informed consent for HIV testing conducted by medical providers. The bill requires providers to inform patients that the test is planned, provide information about the test, and advise patients that they have the right to decline the test. This "opt out" approach is expected to increase HIV testing and the detection of HIV among the 40,000 Californians who are unaware they are HIV positive. Data from the San Francisco Department of Public Health, published in the Journal of the American Medical Association, provided strong scientific evidence in support of the bill: elimination the written informed consent requirement increased HIV testing by 33%, and the mean number of HIV positive tests per month increased from 20.6 to 30.6. It is estimated that as many as 2,000 San Franciscans are unaware of their HIV infection. Linking newly diagnosed persons to care, and reducing their risk behavior remains a priority of the Department. AIDS Office staff are working in collaboration with providers throughout the city in implementing the "opt out" testing approach in a variety of medical settings.

SFGH Joint Commission Announced Survey

The Joint Commission (previously known as JCAHO) will be conducting an announced survey and performance review October 22 – 26, 2007 at San Francisco General Hospital. The hospital chose to fulfill the Joint Commission's self review requirement by selecting the option that includes a consultative, fully-announced survey. During this survey, the Joint Commission surveyors will assess the hospital against all applicable standards that comprise the full hospital accreditation and provide a written report with their findings. This full survey will help the hospital prepare for our 2008 *unannounced* accreditation survey. In the past, we have hired outside consultants to assist with Joint Commission preparation. However, it was determined that using the Joint Commission directly for this consultative service would greatly enhance our preparatory activities.

Department Wins Two-Year Grant for Child Vehicle Safety

The Community Health Education Section has received a new two-year grant of \$387,557 from the California Office of Traffic Safety (OTS) for the San Francisco Child Safety and Occupant Protection Project. The goal of the project is to reduce injuries to children in auto collisions by establishing a collaborative effort with DPH Primary Care, Maternal Child and Adolescent Health, Labor & Delivery sites, and other community agencies, to reach mothers and families with child occupant safety messages. Deliverables include training, car seat information and safety seat inspections.

A similar grant for 2005 – 2007 will be completed in December. Under that grant 1,309 Child Safety Seats have been distributed and properly fitted, 88 public educational presentations were delivered, and 28 trainees participated in Certified Technician trainings to assist families to properly install child safety seats and use them correctly.

Shape Up San Francisco Updates

Kaiser Permanente awarded a two year grant for \$150,000 to the Department of Public Health to continue the *Shape Up BVHP* project. *Shape Up BVHP* works with Bret Harte Elementary and Double Rock Garden/Girls 2000 to incorporate garden education into the students' curriculum. The goal is to support healthy eating and more physical activity through the garden. Quesada Gardens Initiative will also launch a small community garden on Third Street in an effort to create a safer environment for would be walkers, joggers and others in the community. Kaiser Permanente also awarded \$50,000 to San Francisco State's Center for Health Equity to conduct an evaluation of the *Shape Up BVHP* project.

Shape Up Walking Challenge

On October 3, Mayor Gavin Newsom launched the Second Annual *Shape Up Walking Challenge* at Justin Herman Plaza and led a walk down the Embarcadero Promenade. Hundreds of people learned about the Walking Challenge and have since signed on. Staff from DPH are forming teams and we anticipate a good turnout for this season's Challenge. Commissioners welcome. Please contact Christine Carpenter for more information or go to www.shapeupsfwalkingchallenge.org.

Stadium to Stadium

Sunday's Annual *Stadium 2 Stadium* run brought out hundreds of runners and walkers, who made the 10K distance from Pac Bell Park to Monster Stadium. Participants finished on the football field and then came out to the health fair where the Department of Public Health was well represented by Maternal Child and Adolescent Health, Southeast Health Center, Child Passenger Safety, Shape Up SF, Asthma Clinic and other programs of interest.

Websites Moratorium

As the Commissioners know, the Department put a team together to design a new look to our website. Ms. Kronenberg and the design team gave a presentation to the Health Commission several weeks ago and at that time, we anticipated having the new website launched within a very short time. I am pleased to report that we will be launching the new website as soon as some of the technical details are completed. In order for us to launch the new website, we are instituting a 60-day moratorium on updating the website, both the public site and the DPHnet, except for what is required by the Sunshine Ordinance such as the meetings and activities of the Health Commission.

This two month moratorium will allow staff time to convert the 5000+ pages on the current website over to the new website address. This, as you can imagine, is an enormous task. We hope it won't take the full 60 days, but that is the estimated amount of time we need to assure a smooth and seamless transition into the new website launch. We have sent out a special Fast Facts from my office to inform all of our staff. I will update the Commissioners as soon as we are ready to move to the new website which I believe better reflects the dynamic nature of this Department as the premiere health department in the nation.

SFGH & Gene Marie O'Connell in Health Executive Magazine

Congratulations to SFGH and CEO Gene Marie O'Connell for headlining this month's "Corporate Spotlight" column in *Health Executive Magazine*. The article captures many of the challenges of running a large urban medical center and highlights the extraordinary creativity and commitment Ms. O'Connell and her staff bring to the task. I am attaching a copy of the article. It is also available on line at www.healthexecutive.com.

Community Health Network, San Francisco General Hospital, October 2007 Credentials Report

| | 10/07 | 10/07 to 07/08 |
|---|-------|--------------------|
| New Appointments | 32 | 119 |
| Reinstatements | 0 | 0 |
| Reappointments | 41 | 182 |
| Delinquencies: | 0 | 0 |
| Reappointment Denials: | 0 | 0 |
| Resigned/Retired: | 14 | 60 |
| Disciplinary Actions | 0 | 0 |
| Restriction/Limitation-Privileges | 0 | 0 |
| Deceased | 1 | 1 |
| Changes in Privileges | | |
| Additions | 6 | 20 |
| Voluntary Relinquishments | 8 | 17 |
| Proctorship Completed | 2 | 20 |
| Proctorship Extension | 0 | 0 |
| Current Statistics – as of 10/1/07 | | |
| Active Staff | 517 | |
| Courtesy Staff | 571 | |
| Affiliate Professionals (non-physicians) | 211 | |
| TOTAL MEMBERS | 1,299 | |
| Applications In Process | 25 | |
| Applications Withdrawn Month of October 2007 | 1 | 1 (10/07 to 07/08) |
| SFGH Reappointments in Process Nov. 2007 to Feb. 2008 | 216 | |

Community Health Network, Laguna Honda Hospital and Rehabilitation Center, October 2007
Credentials Report

| | 09/07 | 09/07 to 07/08 |
|---|-----------|----------------|
| New Appointments | 1 | 1 |
| Reinstatements | 0 | 0 |
| Reappointments | 6 | 6 |
| Delinquencies: | 0 | 0 |
| Reappointment Denials: | 0 | 0 |
| Resigned/Retired: | 0 | 0 |
| Disciplinary Actions | 0 | 0 |
| Current Statistics – as of 09/1/07 | | |
| Active Staff | | |
| Daytime Staff | 40 | |
| Consultant Staff | 33 | |
| Night/Weekend Staff | 24 | |
| Affiliate Professionals (non-physicians) | 1 | |
| TOTAL MEMBERS | 98 | |

Commissioners' Comments

- Commissioner Monfredini asked Ms. O’Connell to describe the announced survey in more detail. The SFGH JCC was updated about this, but she did not think it was happening so soon. Ms. O’Connell said hospitals can opt into having an announced survey where the Joint Commission goes through the performance review with the hospital and provides some consultation services. This will prepare the hospital for the unannounced Joint Commission survey.
- Commissioner Dodd asked about the harm reduction symposium on safe injection sites. Ms. Garcia said this has been driven by community advocates. This is the beginning of a dialogue. The Department does not have a position on the concept. These kinds of forums bring out a lot of other ideas, so they can be useful.
- Commissioner Monfredini said it is great to have the discussion, but if the Health Department is in the news in such a way, it would be great if the Health Commission could be informed. Ms. Garcia said they will incorporate these updates into the Joint Conference Committees.
- Commissioner Guy said having a safe injection site will be a controversial proposal and even though what is happening now is a community forum, it is still a big deal in the community.
- Commissioner Dodd added that Governor Schwarzenegger also signed the toxic toy law, AB 1108, which was sponsored by Fiona Ma. San Francisco has taken the lead in the issue of safe toys for children.

- Commissioner Guy noted that San Francisco is a leader in providing health access to people, and we were hoping that the State would help out but that did not happen. AB 8 was passed by the legislature but not signed by the governor, who said the compromise would not cover enough people. There is other legislation that would cover everybody, but this was not signed off on the previous year. So next year we are going to have to try to see if we can cover everybody, and San Francisco needs to be a player in the State's efforts to cover everybody. Dr. Katz said the Office of Policy and Planning is preparing and will present a comprehensive report on State and Federal legislation, which will include these bills.
- Commissioner Illig asked Dr. Katz for an update on Buster's Place. Ms. Garcia said Buster's Place is in its current location, and DPH, HAFC and the landlord are in negotiations. They currently have a month-to-month lease.
- Commissioner Chow asked how AB 306 would impact San Francisco's rebuild plans, and how counties' financial conditions will be determined. Dr. Katz said San Francisco is moving forward with the rebuild, as \$25 million will have been spent on planning the new hospital. The question about how financial conditions will be evaluated is an interesting question.
- Commissioner Guy asked if the Health Commission needs to vote on this bill. Dr. Katz said no, it is not necessary. Commissioner Guy said there is a direct correlation between car seats and child safety, and she asked if this grant includes giving out car seats. Ms. Kronenberg said it does.

5) **EMPLOYEE RECOGNITION FOR THE MONTH OF OCTOBER**

Commissioner Illig presented the employee recognition award for the month of October. Julie Graham, one of the recipients, was unable to attend the meeting, and will receive her award at the November 13th Health Commission meeting.

| <u>Individual Award</u> | <u>Division</u> | <u>Nominated By</u> |
|---|------------------------|------------------------------------|
| Tracey Packer Senior Health Educator | HIV Prevention Section | Staff of HIV Prevention Section |

6) **DEPARTMENT OF PUBLIC HEALTH ANNUAL REPORT**

Anne Kronenberg, Deputy Director of Health, presented the Fiscal Year 2006-2007 Annual Report. The report is broken into the following sections: Inside the Department; Who We Serve; Stars and DPH Firsts; The Strategic Plan; Healthy San Francisco; Strategic Plan Goals; and Budget. Ms. Kronenberg provided highlights of each of the sections. For each of the Strategic Plan goals, Ms. Kronenberg highlighted specific programs that advance the goals, including:

- Goal 1: Project Homeless Connect in Bayview Hunters Point and the New Medical Respite Program
- Goal 2: Asian Pacific Islanders Hep B Free Campaign, Adult Immunization Clinic Voted Best Place to Get Shots, Eastern Neighborhoods Community Impact Assessment and continued progress toward readiness.

- Goal 3: Human Resources web-based information management system, Laguna Honda rebidding initiative, SFGH rebuild planning, LHH Replacement Projects, Primary Care Center retrofits and Community Behavioral Health Services Billing.
- Goal 4: The SevenPrinciples Project and the Charles Schwab Infectious Disease Drill.

Commissioners' Comments

- Commissioner Monfredini is always amazed by the number of people the Health Department serves and how many services we provide. The report does a great job of describing the breadth of services.
- Commissioner Dodd commended the report, and suggested that next year the report might acknowledge the breadth of services that DPH funds through its contractors—primary care visits, case management, and other services. As we begin to do an assessment of the needs for the health and well being of San Franciscans, perhaps we can breakdown the bed days by zip code so we can get a sense of where people are receiving services, what their diagnoses are and other data. This is a lot of data but the Health Commission is charged with comprehensive health care planning and the annual report can serve as one of the planning documents. Ms. Kronenberg said some of this data is available, and is presented in other reports. Commissioner Dodd would like the report to reflect what DPH pays for.
- Commissioner Guy said that Commissioner Dodd's request raises the question about what the scope of the Annual Report should be and what purpose does it serve. We tried to expand the scope and include the Strategic Plan in the past, and this did not work. Ms. Kronenberg said that the Annual Report is a static look at the Health Department. Mr. Sass added that the Lewin Group is looking at citywide data and this report, which will be presented at a future Health Commission meeting, will include some of what Commissioner Dodd is asking for.
- Commissioner Illig liked the section on Stars and Firsts, and appreciates the report. Some of the statistics that are noted in the report include agency-provided services. We have no way of knowing the number of unduplicated clients that are served in DPH because each division keeps its own records. He hopes that the new IT system will allow us to have a single count.
- Commissioner Chow said the report continues to improve, and he appreciates the appendix listing all of the excellent reports that the Department has done during the year. He urges the continuation of reporting on cultural competency. This year the Department developed best practices. Next year we will be able to highlight things that the Cultural Competency Task Force is working on both with staff and contractors that further the evolution of cultural competency.
- Commissioner Monfredini said the Health Commission agreed at its retreat to send the annual report over to the Mayor's Office with a transmittal letter from the Health Commission.
- Commissioner Guy said this is a wonderful report, and a very good read. The work of the Department is honored and respected. This is a very useful document for our audiences, including the Mayor and Board of Supervisors. The report gives an important framework. She supports Commissioner Chow's comments about cultural competency. The Department

is doing transformative things in this area, and hopefully this could be highlighted as a theme in next year's report.

- Commissioner Sanchez appreciates the report, particularly the inclusion of the human variable in the report. A letter from the Health Commission to the Mayor and the Board of Supervisors will reinforce the Commission's support for the report.
- Commissioner Dodd said when you read the report, you cannot help but be proud to be associated with the Health Department and all the good work that it does. She hopes this is reflected in the letter to the Mayor and Board of Supervisors. The Health Department gets a lot of positive press coverage, which provides a historical reference. It would be nice for the report or the City's website to include links to the various news stories.
- Commissioner Chow said it would also be nice to have a list of all the scientific articles that DPH staff publishes.
- Commissioner Monfredini said she scheduled her flu shot on the City's online system. It worked wonderfully.
- Commissioner Guy said she contacted the Health Plan to get information about how to enroll in Healthy San Francisco. The person she spoke with was very helpful.

7) **CONSIDERATION OF A RESOLUTION REGARDING PROPOSED AMENDMENT TO THE PLANNING CODE REGARDING INSTITUTIONAL MASTER PLANS**

Dr. Katz presented a resolution regarding proposed amendments to the Planning Code regarding Institutional Master Plans. This resolution came about as an emerging issue. In summary, Supervisor Maxwell introduced legislation that requires that a health planner, retained by DPH, reviews and analyzes hospital institutional master plans that are required by and submitted to the Planning Department. Supervisor Maxwell worked with City Attorney and the Planning Department to draft her legislation. The Planning Commission approved it at its meeting last week. It now goes to the Board of Supervisors, who can change it in any way they wish. The Health Commission and Health Department are welcome to give input, but input will not necessarily be taken. The author's office communicated to him that she recommends that the Health Commission should adopt, within its own rules, whatever process the Health Commission thinks would be best to facilitate the legislation. Commissioners have talked about the importance of Commission input and a Commission hearing. This can all be done through Health Commission policy. Commissioners should feel empowered to make policy and administrative rules around this process, in addition to lobbying for changes to the Planning Code.

Public Comment

Jason Fried, SEIU, UHW, said they support Supervisor Maxwell's ordinance and support efforts to make sure the Health Commission is appropriately involved in providing input to the Planning Commission. They are concerned that the legislation exempts facilities less than 50,000 square feet. The union also agrees that outpatient facilities of significant size be included in the legislation. That said, they do not think the ordinance goes far enough. He submitted a copy of his written testimony.

Ron Smith, Hospital Council, said the Council is opposed to Supervisor Maxwell's ordinance, but he would like to talk about communication and dialogue. They only saw the amendments to the legislation two weeks ago, yet Supervisor Maxwell said she has been working with the Health Department for three months. They want to have a productive dialogue about health needs and what the City wants hospitals to look like.

Abby Yant, Catholic Health Care West, said they support the idea about discussing the health care needs in San Francisco so that there can be planning around targeted services in areas that have need. They are concerned about the way the legislation is written. It will drive up costs for her institution, which is always struggling to do things to better serve the community. They do not support the resolution as it is currently written. They do support the health planning piece.

Commissioners' Comments

- Commissioner Monfredini asked if the Health Department has been working with Supervisor Maxwell for three months. Dr. Katz said supervisors can introduce whatever they want and ask whoever they want for input, and then accept whatever input they want. The Health Department does not need to be consulted. He has been periodically asked his opinion about portions of the legislation, and he has offered his opinion. What is important in terms of the public process is that any group could have requested a meeting with the Supervisor since the time she introduced the legislation, which was three months ago.
- Commissioner Illig attended the Planning Commission meeting and read from the Commission's resolution, but did not say that the Health Commission had already made its decision.
- Commissioner Dodd said she was told that the legislation, as drafted, would have prevented St. Francis from renovating its emergency department. Ms. Yant said the additional process would slow down such projects and increase costs. To have parallel systems—State and local—would be very cumbersome. Further, hospitals have to be able to operate flexibly on a daily basis and the legislation might require a report every time a staffing change is made.
- Commissioner Guy is looking for something strategic that is in the public interest that we can either administratively develop for the Health Commission and/or lobby the Board for amendments to the Planning Code.
- Commissioner Dodd believes that the goal is to create the maximum amount of public input into this process, and this effort is in keeping with the direction of the connection between health and land use. She cannot underscore the importance of including outpatient facilities into the legislation as health care systems are moving in the direction of outpatient care. It is important to let the Board of Supervisors know that the Health Department did not work formally in drafting this legislation. She asked if the Hospital Council took a formal position and whether or not Laguna Honda or San Francisco General Hospital were part of the vote. Ms. O'Connell said she and Mr. Kanaley stayed neutral on this issue.
- Commissioner Guy asked Ron Smith to share his specific concerns about the legislation, and whether or not there is common ground. Mr. Smith said one concern is the ability of the health planner to be objective and not advance Health Department agenda. They have a number of technical concerns, for example every time hospitals have a staffing change they are required to report to the Planning Commission. One suggestion is having the Hospital

Council hire a planner and get involved early in the process, before an Institutional Master Plan is submitted.

- Commissioner Illig said the issue of IMPs was added to the planning code in the 1970s. The only thing that is changing is replacing the now defunct Westbay Health Agency with the Department of Public Health. The concerns expressed by the Hospital Council are already required by law. This only adds a health care analysis. Dr. Katz said Commissioner Illig's comments are on the mark. Most of what is here has already existed but has not been followed. Part of why this came up now is because so many hospitals are thinking about rebuilding. In a previous hearing, Dr. Katz testified that if the Planning Code requires consideration of things like shade and noise, why doesn't it include health impacts. People want health information as part of the record and this is the spirit of the legislation.
- Commissioner Monfredini is torn about this legislation. She knows that hospitals can struggle on a daily basis to stay afloat, but at the same time there are gaps in health care services in San Francisco.
- Commissioner Dodd said all of the stakeholders in San Francisco need to look at the long-term health needs of the city. We have never engaged in health planning. Because health care, particularly hospitals, are so focused on cost, this forces us to look at the market share of hospital beds and market-based decisions. The Health Commission is not about the market. We are about ensuring access to health care for all San Franciscans. It is unfortunate that hospitals are making their decisions based on the market and not the needs of San Franciscans. What this process does is shed light on how hospitals make decisions. By adding the public debate to this decision making process, the Health Commission is made part of this process.
- Commissioner Monfredini supports the goal but there is no way we can tell people who do business that they need to continue to lose money because we need the beds. She is wondering where we draw the line between asking people to be good neighbors and forcing them to lose money year after year.
- Commissioner Guy said the analysis the Health Department would bring is similar to that done via Proposition Q, which has been successful in adding information into the public domain. The market forces are pushing health care into the public domain even when the market forces do not want this to be true. All of the non-profit tertiary care systems depend on the public dollar to survive, and this is only going to get truer. In looking at this, we need to see this in terms of the 21st Century, and we should insist on working with the Board of Supervisors. Land use and health care have to come together in the 21st century. We need state what we think is good land use health planning. Mr. Smith asked for the consideration of a continuance.
- Commissioner Dodd said she would like the Health Commission to at least adopt a statement that they could formally present to the Board of Supervisors.
- Commissioner Illig said we could adopt the resolution and still dialogue with the Hospital Council.

- Commissioner Chow said that there is no system for having comprehensive conversations around health planning.
- Commissioner Dodd proposed amendments to the resolution that was distributed in advance of the meeting:
 - Added “And Approving a Health Commission Policy Regarding Health Department Analyses of Institutional Master Plans” to the title;
 - Changed the first Whereas to the following: WHEREAS, the planning functions of the Health Services Agency no longer exist; and
 - Changed the second bullet of the first Resolved Clause to the following: Reduce the square footage that would trigger an abbreviated Institutional Master Plan requirement from 50,000 square feet to 25,000 square feet and a complete Institutional Master Plan at 50,000 square feet rather than 100,000 square feet in the C3 district;
 - Added a further resolved: FURTHER RESOLVED, that it is the policy of the Health Commission that Health Department analyses of Institutional Master Plans be presented to the Health Commission for consideration and recommendation prior to being submitted to the Planning Department and the Planning Commission.
- Commissioner Dodd said the Hospital Council raised legitimate issues about the vagueness of the legislation and it is important that, somewhere in the legislative intent, that the Board be clear that we are talking about major changes.
- Commissioner Guy agrees with Commissioner Chow that there is no system for having these conversations, and she would like to have this be a starting point for discussions

Action Taken: The Commission (Chow, Dodd, Guy, Illig, Monfredini, Sanchez) approved the Resolution 13-07, “Supporting Proposed Changes to the Institutional Master Plan Review Process and Approving a Health Commission Policy Regarding Health Department Analyses of Institutional Master Plans,” (Attachment A) with the amendments proposed by Commissioner Dodd.

8) **PUBLIC COMMENT**

None.

9) **OTHER BUSINESS**

None.

10) **COMMISSIONER REPORTS/ANNOUNCEMENTS/JOINT CONFERENCE COMMITTEE REPORTS**

Commissioner Illig introduced his sister Denise from Erie Pennsylvania. The Health Commission is delighted she is here. Commissioner Illig will be attending the LHH assisted living feasibility study community meeting and the exhibit at Laguna Honda.

Commissioner Dodd will attend the Police Commission meeting regarding the Police Department’s proposal about dealing with people with limited English proficiency.

Commissioner Guy said the PHP JCC minutes reflect that after a good decade of planning San Francisco is now serving healthy food in middle schools. There are some new website reports commissioners should check out.

Commissioner Monfredini announced that the January 1, 2008 Health Commission meeting will be rescheduled to January 29, 2008.

11) **ADJOURNMENT**

The meeting was adjourned at 6:15.



Michele M. Seaton
Executive Secretary to the Health Commission